

LAW OFFICES OF DALE K. GALIPO

Dale K. Galipo (SBN 144074)
dalekgalipo@yahoo.com
Cooper Mayne (SBN 343169)
cmayne@galipolaw.com
21800 Burbank Boulevard, Suite 310
Woodland Hills, CA 91367
Phone: (818) 347-3333

*Attorneys for Plaintiff DOROTHEY
HEIMBACH*

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

DOROTHEY HEIMBACH,
individually and as successor in
interest to Anthony Silva,

Plaintiff,

vs.

STANISLAUS COUNTY; and
JUSTIN CAMARA, ZA XIONG,
and ERIC BAVARO, in their
individual capacities,

Defendants.

2:23-cv-1887-DJC-CSK
*Judge: Hon. Daniel J. Calabretta
Magistrate Judge: Chi Soo Kim*

**JOINT STIPULATION
REGARDING DISMISSAL OF
CLAIMS AND AGREEMENT NOT
TO FILE SUMMARY JUDGMENT
MOTIONS**

Plaintiff and Defendants, by and through their respective counsel, hereby
stipulate and agree as follows:

I. DISMISSAL OF CLAIMS

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the following
claims are hereby dismissed with prejudice:

- Plaintiff's Sixth Cause of Action: Municipal Liability – Failure to Train (42 U.S.C. § 1983);
- Plaintiff's Seventh Cause of Action: Municipal Liability – Ratification (42 U.S.C. § 1983);

- All claims against Defendant Bavaro.

The Fifth Cause of Action (Municipal Liability – Unconstitutional Custom or Policy) was previously dismissed by stipulation and court order on December 19, 2024 (Dkt. 29).

Plaintiff hereby withdraws her request for punitive damages as to all remaining defendants.

II. AGREEMENT NOT TO FILE SUMMARY JUDGMENT MOTIONS

The parties mutually agree that no motions for summary judgment or summary adjudication will be filed in this matter. However, the parties expressly reserve all rights to assert arguments under Federal Rule of Civil Procedure 50(a) during trial and, if applicable, under Rule 50(b) after trial.

IT IS SO STIPULATED.

Dated: May 16, 2025

LAW OFFICES OF DALE K. GALIPO

By: /s/ Cooper Mayne

Dale K. Galipo

Cooper Mayne¹

*Attorneys for Plaintiff DOROTHEY
HEIMBACH*

PORTER SCOTT PC

DATED: May 16, 2025

/s/ John R. Whitefleet

John R. Whitefleet

Attorney for Defendant

¹ Pursuant to Local Rule 131, as the filer of this document, I attest that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.